

REMARKS

This Amendment, filed in reply to the Office Action dated May 29, 2007, is believed to be fully responsive to each point of the rejection raised therein. Accordingly, favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-6, 8-22, 24-35 are all the claims pending in the application. Claims 7 and 23 are canceled. No new matter is added. Applicant respectfully submits that all the claims in this application are now in condition for allowance.

Allowable Subject matter

Applicant acknowledges with thanks the indication by the Examiner of claims 7 and 23 are objected to as being dependent on a rejected based claim, but would be allowable if rewritten in independent form.² Claims 7 and 23 are now canceled. Claims 6 and 22 are amended to included the limitation of claims 7 and 23, respectively. Application respectfully submits that claims 6 and 22 are now in condition for allowance. Applicant earnestly solicits the allowance of these claims. Applicant further submits in view of the arguments presented below that all the claims in the application are now in condition for allowance and Applicant earnestly solicits the allowance of the claims in the subject application

Rejection Under 35 U.S.C. § 102

Claims 6, 22, and 34 are rejected under 35 U.S.C. § 102 (e) as being anticipated by Sherman (U.S. Pub. No. 2003/0161340; hereinafter “Sherman”). Applicant submits that this rejection is now moot in view of the amendment to claim 6 and 22 including therein the

² Although section 13 of the Office Action refers to a rejection under 35 U.S.C. § 112, 2nd paragraph, there is no such rejection in the Office Action.

limitations of claims 7 and 22 respectively that were indicated as allowable by the Examiner, see Office action page 21.

Claims, 8-11, 24-27, and 34 are allowable at least by virtue of their dependencies on claim 6 or 22. Therefore, Applicant respectfully solicits the allowance of these claims.

Rejection under 35 U.S.C. § 103

Claims 1, 12, 17 and 33 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sherman in view of Benveniste (U.S. Patent No. 6,980,067; hereinafter “Benveniste”), and Haartsen (U.S. Patent No. 6,973,067; hereinafter “Haartsen”). Applicant respectfully traverses this rejection.

In general, Applicant submits that the references taken alone or in combination fails to teach or suggest all the limitations recited in the claims. For example, the references fails to teach or suggest the limitation of: “when the reservation request frame receiver receives the reservation request frame, allocating a poll frame transmission sequence to the stations, from which the reservation request frame is received, using a first come first serve method based on a sequence in which reservation request frames arrive and making a polling list comprising the poll frame transmission sequence,” as recited in claim 17 and similarly recited in independent claims 1 and 12.

In one exemplary embodiment, the invention relates to:

A coordinator polling list making apparatus comprises: a controlled contention frame transmitter, which when making a polling list is requested, generates a controlled contention frame and transmits the controlled contention frame to stations on a network **through a predetermined channel** using a broadcast method after a period of time corresponding to a priority inter-frame space lapses since receipt of the request of making a polling list; a reservation request frame receiver, which receives a reservation request frame

from each of the stations **through the predetermined channel** as a response to the controlled contention frame during a controlled contention interval designated by the controlled contention frame; and a polling list making unit, which when the reservation request frame receiver receives the reservation request frame, **allocates a poll frame transmission sequence to the stations, from which the reservation request frame is received, using a first come first serve method based on a sequence in which reservation request frames arrive and makes a polling list comprising the poll frame transmission sequence.** (emphasis added)³

Sherman, on the other hand, teaches a method and system for optimally serving stations on wireless LANs using a controlled contention/resource reservation protocol. In contrast to the claimed invention, Sherman uses an algorithm and permission probability to resolve contention. See paragraph [0008]. This type of algorithm will result in the disadvantages of burdening the system with a heavy load and delayed transmission of the reserve reservation frame, which is exactly what the claimed invention sought to obviate.

The Examiner correctly concedes that “Sherman did not explicitly disclosed the method of a polling list making unit, which when the reservation request frame receiver receives the reservation request frame, allocates a poll frame transmission sequence to the stations, from which the reservation request frame is received, using a first come first serve method based on a sequence in which reservation request frames arrive and makes a polling list comprising the poll frame transmission sequence.” However, the Examiner asserts that Benveniste and Haartsen allegedly disclose this feature which is missing from Sherman..

After careful review of the reference, Applicant respectfully submits that nowhere does Benveniste teach or suggest “generating a controlled contention frame and transmits

³ See claim 1

the controlled contention frame to stations on a network **through a predetermined channel**” nor does it teach “reservation request frame from each of the stations **through the predetermined channel** as a response to the controlled contention frame during a controlled contention interval” nor does it relate to **making a polling list**. Therefore, Applicant respectfully submits that Sherman in combination with Benveniste could not have rendered the claims obvious. If the Examiner insists in maintaining this rejection, Applicant respectfully requests that the Examiner provides a detailed explanation and exactly where in the reference these limitations are disclosed. Otherwise, Applicant respectfully requests the withdrawal of the rejection and earnestly solicits the allowance of these claims.

Likewise, the Haartsen reference also fails to remedy the deficiencies of Sherman and Benveniste. First, Haartsen does not relate to an apparatus or method for making a polling list based on IEEE 802.11e. Rather, the reference relates to “a method and apparatus for combining the delivery of synchronous and asynchronous data on the same medium at the same time...” See col. 3, lines 19-22. Even though Haartsen teaches that “in a decentralized case, reservations are established on a first come first served basis...”, the reference fails to teach or suggest: “generat[ing] a controlled contention frame and transmits the controlled contention frame to stations on a network **through a predetermined channel** using a broadcast method after a period of time corresponding to a priority inter-frame space lapses since receipt of the request of making a polling list...**allocates a poll frame transmission sequence to the stations, from which the reservation request frame is received, using a first come first serve method based on**

a sequence in which reservation request frames arrive and makes a polling list comprising the poll frame transmission sequence.”

Therefore, Applicant respectfully submits that claims 1, 12, 17 and 33 are allowable because the cited references, taken alone or in combination, do not teach or suggest all of the features of the claims.

Claims 2-4, 18,-20, 25, 26, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherman in view of Benveniste and Haartsen in further view of Yew et al. U.S. Pub. No. 2003/0108059 (hereinafter, “Yew”). Applicant respectfully traverses this rejection.

Applicant respectfully submits that Yew does not remedy the deficiencies of Sharman, Benveniste and Haartsen. Therefore, these claims are patentable at least by virtue of their dependency on independent claims 1, 12, and 17 and for analogous reasons set forth above.

In addition claims 25 and 26 depends on allowable claim 22. Applicant respectfully submits that these claims are allowable at least by virtue of their dependency on claim allowable claim 22.

Claims 5, 8-10, 16, 21, 24, 27, and 32 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sherman, in view of Benveniste, Yew, and Haartsen, in further view of Ho et al. U.S. Patent No. 7,151,762 (hereinafter “Ho”). Applicant respectfully traverses this rejection.

Applicant respectfully submits that Ho does not remedy the deficiencies of Sherman, Benveniste, Haartsen and Yew. Therefore, these claims are patentable at least

by virtue of their dependency on claim 1, 12, 17 and for analogous reasons set forth above.

In addition claims 8-10, 24 and 27 depend on allowable claim 6 and 22.

Applicant respectfully submits that these claims are allowable at least by virtue of their dependency on claim allowable claim 6 and 22.

Claim 11 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sherman in view of Benveniste, applied to claim 10 in further view of Yew and Ho.

Applicant respectfully submits that Yew does not remedy the deficiencies of Sherman, Benveniste and Haartsen. Therefore, claim 11 is patentable at least by virtue of its dependency on claim 1.

In addition claims 11 depends on allowable claim 6. Applicant respectfully submits that these claim is allowable at least by virtue of their dependency on claim allowable claim 6.

Claims 13-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherman in view of Haartsen, as applied to claim 12, and further in view of Yew and Benveniste. Applicant respectfully traverses this rejection.

Applicant respectfully submits that Yew does not remedy the deficiencies of Sherman, Haartsen. Therefore, these claims are patentable by virtue of its dependency on claim 12.

Claim 28 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sherman in view of Haartsen. Applicant respectfully traverses this rejection.

Applicant respectfully submits that claim 28 is patentable for the same reason set forth above regarding claim 1, 12, and 17.

Claims 29 and 35 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sherman in view of Haartsen, as applied to claim 28, and further in view of Yew et al . and Benveniste. Applicant respectfully traverse this rejection.

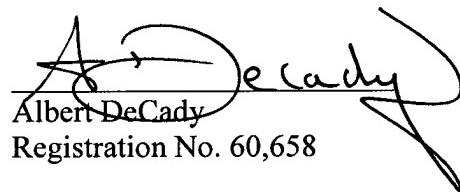
Applicant respectfully submits that Yew and Benveniste do not remedy the deficiencies of Sherman and Haartsen. Therefore, these claims are patentable at least by virtue of their dependency on claims 28.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Albert DeCady
Registration No. 60,658

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: August 29, 2007